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Counsel for Defendant ARGELIO SUASTEGUI LOZANO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ARGELIO SUASTEGUI LOZANO,  
  
Defendant.

No. CR-06-0178 MMC

STIPULATION AND ~~PROPOSED~~  
~~ORDER~~ CONTINUING BRIEFING  
SCHEDULE AND HEARING DATE  
FROM MARCH 12, 2007 TO MARCH  
26, 2007 ; ORDER CONTINUING  
HEARING TO APRIL 18, 2007

The undersigned parties stipulate as follows:

1. The parties' had previously agreed to and the court had ordered a briefing schedule on defendant's motion to dismiss, for hearing on March 12, 2007. In the meantime, both parties were instructed to submit supplemental briefing.
2. The parties engaged in extended settlement negotiations that ultimately were not successful. As a result, and with defendant's agreement, the government filed its supplemental brief on March 2, 2007. Undersigned counsel is in trial and will not be able to file a responsive brief until March 16, 2007. The parties agree that the Court should continue the hearing date to March 26, 2007 at 3:00 p.m. in order to give the

1 parties and the Court adequate time to prepare and review the parties' submissions. The  
2 defense is requesting a special setting again (as it had for the March 12, 2007 date)  
3 because defense counsel is in trial from Tuesday afternoons through Fridays.

- 4 3. The parties agree that the time between March 12 and March 26, 2007 should be  
5 excluded from the computation of time within which the trial of this matter must  
6 commence because of defendant's pending pretrial motion to dismiss. 18 U.S.C. §  
7 3161(h)(1)(F).

8 IT IS SO STIPULATED

9  
10 Date: 3/8/2007

/S/  
SHAWN HALBERT  
Assistant Federal Public Defender

11  
12  
13 Date: 3/8/2007


/S/  
DEREK OWENS  
Assistant United States Attorney

14  
15  
16 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
17 "conformed" signature (/S/) within this e-filed document.

ORDER

For GOOD CAUSE SHOWN, it is hereby ORDERED that the status hearing, previously set by April 18, 2007 at 2:30 p.m. this Court for March 12, 2007 at 3:00 p.m. shall be continued to ~~March 26, 2007 at 3:00 p.m.~~ April 18. IT IS FURTHER ORDERED that the time between March 12 and ~~March 26~~, 2007 shall be excluded from the computation of time within which the trial of this matter must commence because of defendant's pending pretrial motion to dismiss. 18 U.S.C. § 3161(h)(1)(F).

Date: March 9, 2007

  
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THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE